IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.1134 OF 2003
IN
SUMMARY SUIT NO.558 OF 2003

M/s.Grasim Industries Ltd. .. Plaintiffs

Vs.

1. M/s.M.D.Enterprises
2. S.K.Enterprises .. Defendants

WITH

SUMMONS FOR JUDGMENT NO.1135 OF 2003
IN
SUMMARY SUIT NO.386 OF 2003

M/s.Grasim Industries Ltd. .. Plaintiffs

Vs.

1. M/s.Anjani CHS Ltd.
2. S.K.Enterprises .. Defendants

WITH

SUMMONS FOR JUDGMENT NO.1136 OF 2003
IN
SUMMARY SUIT NO.557 OF 2003

M/s.Grasim Industries Ltd. .. Plaintiffs

Vs.

1. M/s.Pandey Builders
2. S.K.Enterprises .. Defendants

WITH

SUMMONS FOR JUDGMENT NO.1137 OF 2003
IN
SUMMARY SUIT NO.556 OF 2003

M/s.Grasim Industries Ltd. .. Plaintiffs

Vs.

1. M/s.Royal Enterprises
2. S.K.Enterprises .. Defendants

Mr.Khan i/b Meharia and Co. for the plaintiffs

Mr.B.R.Vishwakarma for the defendants

CORAM : S.U.KAMDAR, J

DATED : 23RD AUGUST, 2005

P.C.:

. The present suits are filed for summary suit in respect of goods sold and delivered. Invoices and Challans show that the goods are sold to defendant no.1. Summons for Judgment is only addressed to defendant no.2. There is no document to show any liability of defendant no.2 on record. The only contention raised by the plaintiff is that defendant no.2 is the promoter of the defendant no.1 and therefore the suits are filed as against defendant no.2. The said suits are not maintainable. Defendant no.2 is a separate entity known as S.K.Enterprises. In that view of the matter, Summons for Judgments are dismissed. Unconditional leave to defend is granted. As against defendant no.1, suit is for ex-parte decree

on Monday, 29.8.05.